

1 Sheila Polk, SBN 007514
2 County Attorney
3 ycao@co.yavapai.az.us

4 Attorney for STATE OF ARIZONA

2011 MAR -3 PM 1:21 ✓

5 IN THE SUPERIOR COURT OF THE STATE OF ARIZONA - *Jacqueline Harshman*

6 IN AND FOR THE COUNTY OF YAVAPAI

7 STATE OF ARIZONA,

No. V1300CR201080049

8 Plaintiff,

Division PTB

9 vs.

CERTIFICATE OF JUDGE
REQUESTING ATTENDANCE OF
OUT-OF-STATE WITNESS

10 JAMES ARTHUR RAY,

11 Defendant.
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14 I, Warren R. Darrow, Judge of the Superior Court of the State of Arizona, in and for the
15 County of Yavapai, a Court of Record, DO HEREBY CERTIFY:

- 16 1. That on February 4, 2010, an Indictment was filed charging JAMES ARTHUR RAY with
17 three (3) counts of Reckless Manslaughter, each a class 2 felony in V1300CR201080049.
18 2. That in conjunction with said prosecution, there is now pending a felony criminal trial
19 to commence on February 16, 2011, in the Superior Court of the State of Arizona in
20 and for the County of Yavapai.
21 3. That the undersigned is informed by Affidavit of Sheila Polk, County Attorney of the
22 County of Yavapai, State of Arizona, of his request for attendance of an out-of-state
23 witness in said proceeding, to-wit: MICHAEL BARBER.
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Office of the Yavapai County Attorney

255 E. Gurley Street, Suite 300

Prescott, AZ 86301

Phone: (928) 771-3344 Facsimile: (928) 771-3110

- 1 4. Said witness is necessary and material and required by the State of Arizona to appear
2 at said trial commencing on February 16, 2011. His anticipated testimony date is
3 March 18, 2011.
- 4 5. That the witness's attendance and testifying in the prosecution will not cause undue
5 hardship to said witness.
- 6 6. That the said witness will be required to travel a total of 2 days and attend court as a
7 witness at said trial for 1 day making a total of 3 days.
- 8 7. That if said witness is subpoenaed or summoned to attend and testify in this State, he
9 shall be provided a ticket for round trip air travel and the sum of \$15.00 for necessary
10 and reasonable travel at either end of the flight, as required by A.R.S. 13-4093(C).
- 11 8. That the State of Arizona has enacted and is a party to the Uniform Act to Secure the
12 Attendance of Witnesses From Without the State in Criminal Proceedings, pursuant to
13 A.R.S. 13-4093.
- 14 9. That if MICHAEL BARBER comes into the State of Arizona in obedience to a
15 subpoena *duces tecum* or summons directing him to attend and testify for the State of
16 Arizona in the above entitled action, the law of the State of Arizona (A.R.S. 13-4093)
17 and of any other state through which said witness may be required to pass by the
18 ordinary course of travel to attend the trial will give him protection from arrest, or the
19 service of process, either civil or criminal, in connection with matters which arose
20 before his entrance into said State of Arizona pursuant to said subpoena or summons.
- 21 10. That it is recommended that the witness not be taken into custody, but be permitted to
22 voluntarily present himself.
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1 11. That this Certificate is made for the purpose of being presented to a Judge of Superior
2 Court, in and for the County of Sacramento, State of California where said witness
3 now is, upon proceedings to compel said witness to attend and testify in said
4 proceedings in Yavapai County, State of Arizona.
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6 DATED: 3/3/11
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9 Warren R. Darrow
10 Judge of the Superior Court
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